

09-11-06

MS AF 1645 \$

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<h1>TRANSMITTAL FORM</h1> <p>(to be used for all correspondence after initial filing)</p>	Application Number	09/927,422
	Filing Date	August 10, 2001
	First Named Inventor	Gary VAN NEST
	Art Unit	1645
	Examiner Name	N. Minnifield
Total Number of Pages in This Submission	28 + 14 References	Attorney Docket Number 377882001420

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form + duplicate for fee processing – 2 pages <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply – 13 pages <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request – 1 page <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) – 1 page <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Communication – 2 pages Form PTO/SB08a/b + copy – 4 pages 14 References Dictionary definitions – 4 pages Return Receipt Postcard
<div style="border: 1px solid black; padding: 2px;">Remarks</div>		

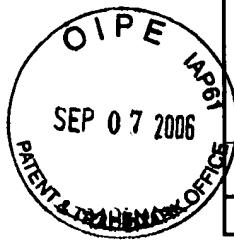
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	MORRISON & FOERSTER LLP (Customer No. 25226)		
Signature			
Printed name	Terri Shieh-Newton		
Date	September 7, 2006	Reg. No.	47,081

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 595537100 US, on the date shown below in an envelope addressed to: MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: September 7, 2006

Signature: (Rosemarie Puljic-Salmeron)



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Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).		Complete if Known		
FEE TRANSMITTAL		Application Number	09/927,422	
For FY 2006		Filing Date	August 10, 2001	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		First Named Inventor	Gary VAN NEST	
		Examiner Name	N. Minnifield	
		Art Unit	1645	
TOTAL AMOUNT OF PAYMENT	(\$)	760.00	Attorney Docket No.	377882001420

METHOD OF PAYMENT (check all that apply)

Check
 Credit Card
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 None
 Other (please identify): _____

Deposit Account
 Deposit Account Number: 03-1952
 Deposit Account Name: Morrison & Foerster LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below
 Charge fee(s) indicated below, **except for the filing fee**

Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17
 Credit any overpayments

FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	0.00
Design	200	100	100	50	130	65	0.00
Plant	200	100	300	150	160	80	0.00
Reissue	300	150	500	250	600	300	0.00
Provisional	200	100	0	0	0	0	0.00

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims **Extra Claims** **Fee (\$)** **Fee Paid (\$)** **Multiple Dependent Claims**
81 -124 = 0 x 25.00 = 0.00 **Fee (\$)** **Fee Paid (\$)**
 HP = highest number of total claims paid for, if greater than 20. 180.00 0.00

Indep. Claims **Extra Claims** **Fee (\$)** **Fee Paid (\$)**
3 -4 = 0 x 100.00 = 0.00
 HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____	- 100 = _____	/50 _____ (round up to a whole number) x _____	_____	0.00

4. OTHER FEE(S)

	Fees Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)	
Other (e.g., late filing surcharge): 2401 Notice of appeal	250.00
2253 Extension for response within third month	510.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	47,081	Telephone	(650) 813-5777
Name (Print/Type)	Terri Shieh-Newton	Date	September 7, 2006		

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 595537100 US, in an envelope addressed to: MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: September 7, 2006

Signature: *Rosemarie Puljic Salmeron*
(Rosemarie Puljic Salmeron)

Docket No.: 377882001420
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Gary VAN NEST et al.

Application No.: 09/927,422

Confirmation No.: 6952

Filed: August 10, 2001

Art Unit: 1645

For: BIODEGRADABLE
IMMUNOMODULATORY FORMULATIONS
AND METHODS FOR USE THEREOF

Examiner: N. Minnifield

COMMUNICATION

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

Applicants submit for consideration in the above-identified application the references listed on the attached Form PTO/SB/08a/b. Confirmation of successful receipt of this communication would be greatly appreciated. The Examiner is respectfully requested to make these documents of record.


The Applicants understand that the Examiner is under no obligation to review the submitted references, however, the Applicants would greatly appreciate review of the cited references by the Examiner. Although a fee transmittal is not included in this submission, should the Examiner be willing to make the enclosed references of record and feels that a fee is due under 37 CFR § 1.17 (p)), the Applicants authorize such payment using the deposit account information listed below.

REMARKS

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 377882001420. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: September 7, 2006

Respectfully submitted,

By 
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